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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/712,488

11/13/2003

Jacob Navntoft

684-011581-US (PAR)

8329

7590

11/06/2006

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EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/712,488

Applicant(s)

NAVNTOFT, JACOB

Examiner

Melur Ramakrishnaiah

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 6-12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (JP2003-158727, hereinafter Kobayashi) in view of Tom (US 2004/0189861A, Provisional application No. 60/457,402, filed on Mar. 24, 2003).

Regarding claims 1 and 6, Kobayashi discloses a telephone comprising a camera (106, Drawing: 1) for recording images, a display (103, Drawing: 1) for displaying images and processing and communication circuitry for processing and communicating images, where: the camera (103, Drawing: 1) is located in a first part of the telephone and display (103, Drawing: 1) is located in a second body of the telephone (paragraphs: 0025 –0036), the first and second body parts are electrically and mechanically joined via tilt and swivel hinge (Drawings: 1, 6, 7), the hinge is configured to allow movement of the first and second body parts between at least a first and a second position relative to each other (108, Drawing: 1, paragraph: 0037, and Drawings: 6-7, 0053-0054), the first relative position is such that the field of the camera is directed in a first direction (Drawings: 1B, 6C) and display is facing substantially in the first direction, the second relative position is such that the field of view of camera (106, Drawing: 1) is directed in the first direction and the display (103, Drawings: 1A, 6A) is facing in a second direction substantially different from the first direction, the hinge (108) is further configured to

actuate electric switching means (213, Drawing: 7) connected to circuitry in the telephone when allowing movement of body parts between the first and second position relative to each other (paragraphs: 0053-0055).

Kobayashi differs from claims 1 and 6 in that although he teaches switching from a first image-recording mode to at least a second image recording mode (paragraph: 0053-0055), he does not explicitly teach actuation of the electric switching means causes switching of the recording mode.

However, Tom discloses apparatus for a combination of camcorder-handset device which teaches the following: actuation of the electric switching means causes switching of the recording mode (paragraphs: 0028-0029; fig. 2).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Kobayashi's system to provide for the following: actuation of the electric switching means causes switching of the recording mode as this arrangement would facilitate effecting mode of the camera telephone just by rotating the screen instead of navigating a cumbersome user interface using a keypad as taught by Tom, thus making it easier for the user to change modes of the camera phone

Regarding claims 2-5, 7-12, Kobayashi further teaches the following: hinge comprises (108, Drawing: 7) a washer (in 108, Drawing 7) having at least cam (reads on 214, Drawing: 7) and the washer is configured to rotate when the hinge allows movement of the body parts between the first and second position relative to each other and where the at least one cam is configured to actuate the electric switching means (213, Drawing: 7, paragraphs: 0053-0055), washer in (108, Drawing 7) forms an integral

part of an axis which provides swivel motion between the first and second body parts of the telephone, washer is a separate part attached to an axis which provides swivel motion between the first and second body parts of the telephone (Drawings: 6-7, paragraphs: 0037, 0040), the electric switching means (213, Drawing 7) comprises a multifunction switch (213, paragraphs: 0053 – 0055), image recording mode is switched between a camcorder mode and a self-portrait mode, the self-portrait mode comprises the field of view of the camera (106, Drawing: 1, 6) being directed in a first direction and the display facing substantially in the first direction (Drawing: 1B, 1C), and the camcorder mode comprises the field of view of the camera being directed in the first direction and the display facing in a second direction substantially different from the first direction (Drawings: 1A, 6A).

Response to Arguments

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643